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Dated: March 31, 2009
Electronic Signature for James E. Armstrong, IV: /James E. Armstrong, IV/

Docket No.: 80163(305882)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kazutaka Tsuruhami

Application No.: 10/509,672

Confirmation No.: 6130

Filed: June 7, 2005

Art Unit: 1651

For: COMPOSITIONS FOR IMPROVING THE
FLAVOR OF ALCOHOLIC BEVERAGE
MADE FORM GRAPE

Examiner: I. Marx

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the restriction requirement set forth in the Office Action mailed March 6, 2009, the Examiner has required election of species among:

Group I, claim(s) 1-5, drawn to a composition comprising a culture of fungi or bacteria.

Group II, claim(s) 6-10 drawn to a method of making a grape-based alcoholic beverage.

Group III, claim(s) 11, drawn to an alcoholic beverage.

Applicants provisionally elect, without traverse, Group I, covered by Claims 1-5.

In any event, Applicant reserves the right to file one or more divisional applications directed to the non-elected claims prior to issuance of any patent maturing from the instant application.

Please charge this fee and any other fees which may be due with respect to this paper, to
Deposit Account No. 04-1105.

Dated: March 31, 2009

Customer No. 21874

Respectfully submitted,

Electronic signature: /James E. Armstrong, IV/
James E. Armstrong, IV
Registration No.: 42,266
EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
(202) 478-7375
Attorneys/Agents For Applicant